

STATE OF CALIFORNIA
THE RESOURCES AGENCY
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

ORDER
9244

5475

APPLICATION 15023

PERMIT

LICENSE

ORDER ALLOWING CHANGE IN PURPOSE OF USE AND PLACE OF USE AND
CORRECTING THE DESCRIPTION OF THE POINT OF DIVERSION

WHEREAS:

1. License 5475 was issued to R. E. Hayer and was filed with the County Recorder of Sacramento County on March 25, 1959.
2. License 5475 was subsequently assigned to Bell Aqua, Inc., on October 14, 1980.
3. A petition for change in purpose of use and place of use and for correction of description of point of diversion has been filed with the State Water Resources Control Board and said Board has determined that good cause for such change and correction have been shown.
4. The Board has determined that the petitioned changes do not constitute the initiation of a new right nor operate to the injury of any other lawful user of water.

NOW, THEREFORE, IT IS ORDERED THAT:

1. The purpose of use under this license shall be as follows:
Irrigation and recreation use.

2. The place of use under this license shall be as follows:

9 acres within NE $\frac{1}{4}$ of SE $\frac{1}{4}$ Section 9
4 acres within NW $\frac{1}{4}$ of SE $\frac{1}{4}$ Section 9
3 acres within SW $\frac{1}{4}$ of SE $\frac{1}{4}$ Section 9
16 acres total all in Rancho Del Paso Survey (T10N, R5E, MDB&M)
as shown on map filed with California Water Resources
Control Board.

3. Correction of Description of the point of diversion shall be as follows:

North 1460 feet, East 200 feet from the Center of Section 9
of Rancho Del Paso Survey (T10N, R5E, MDB&M) and being within
NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of said Section 9.

Dated: MAY 5 1981

W. G. Pettit
Walter G. Pettit, Chief
Division of Water Rights



STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD

License for Diversion and Use of Water

APPLICATION 15023

PERMIT 9244

LICENSE 5475

THIS IS TO CERTIFY, That

R. E. Hayer
5917 Dry Creek Road
Rio Linda, California

(over)

has made proof as of August 1, 1958
(the date of inspection) to the satisfaction of the State Water Rights Board of a right to the use of the water of

Linda (Dry) Creek in Sacramento County
tributary to Natomas East Main Drainage Canal

for the purpose of irrigation use
under Permit 9244 of the State Water Rights Board and that said right to the use of said water has been perfected in accordance with the laws of California, the Rules and Regulations of the State Water Rights Board and the terms of the said permit; that the priority of the right herein confirmed dates from September 17, 1952 and that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to the amount actually beneficially used for said purposes and shall not exceed one and seventy-seven hundredths (1.77) cubic feet per second to be diverted from about April 15 to about October 30 of each year.

The equivalent of such continuous flow allowance for any thirty-day period may be diverted in a shorter time if there be no interference with other vested rights.

The point of diversion of such water is located :

North one thousand four hundred and sixty (1460) feet and east two hundred (200) feet from $W\frac{1}{4}$ corner of projected Section 33, T10N, R5E, MDB&M, being within $NW\frac{1}{4}$ of $NW\frac{1}{4}$ of said projected Section 33.

A description of the lands or the place where such water is put to beneficial use is as follows:

12 acres within $NW\frac{1}{4}$ of $NW\frac{1}{4}$ of projected Section 33, T10N, R5E, MDB&M
20 acres within $SW\frac{1}{4}$ of $NW\frac{1}{4}$ of projected Section 33, T10N, R5E, MDB&M
40 acres within $SE\frac{1}{4}$ of $NW\frac{1}{4}$ of projected Section 33, T10N, R5E, MDB&M
40 acres within $NE\frac{1}{4}$ of $SW\frac{1}{4}$ of projected Section 33, T10N, R5E, MDB&M
10 acres within $SW\frac{1}{4}$ of $SW\frac{1}{4}$ of projected Section 33, T10N, R5E, MDB&M
20 acres within $SE\frac{1}{4}$ of $SW\frac{1}{4}$ of projected Section 33, T10N, R5E, MDB&M
142 acres total as shown on map filed with State Water Rights Board

All rights and privileges under this license including method of diversion, method of use and quantity of water diverted are subject to the continuing authority of the State Water Rights Board in accordance with law and in the interest of the public welfare to prevent waste, unreasonable use, unreasonable method of use or unreasonable method of diversion of said water.

Reports shall be filed promptly by licensee on appropriate forms which will be provided for the purpose from time to time by the State Water Rights Board.

The right hereby confirmed to the diversion and use of water is restricted to the point or points of diversion herein specified and to the lands or place of use herein described.

This license is granted and licensee accepts all rights herein confirmed subject to the following provisions of the Water Code:

Section 1625. Each license shall be in such form and contain such terms as may be prescribed by the board.

Section 1626. All licenses shall be under the terms and conditions of this division (of the Water Code).

Section 1627. A license shall be effective for such time as the water actually appropriated under it is used for a useful and beneficial purpose in conformity with this division (of the Water Code) but no longer.

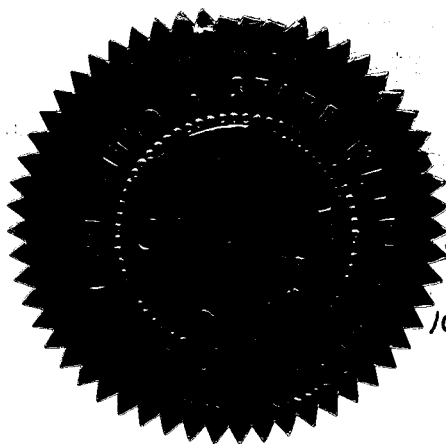
Section 1628. Every license shall include the enumeration of conditions therein which in substance shall include all of the provisions of this article and the statement that any appropriator of water to whom a license is issued takes the license subject to the conditions therein expressed.

Section 1629. Every licensee, if he accepts a license does so under the conditions precedent that no value whatsoever in excess of the actual amount paid to the State therefor shall at any time be assigned to or claimed for any license granted or issued under the provisions of this division (of the Water Code), or for any rights granted or acquired under the provisions of this division (of the Water Code), in respect to the regulation by any competent public authority of the services or the price of the services to be rendered by any licensee or by the holder of any rights granted or acquired under the provisions of this division (of the Water Code) or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State, of the rights and property of any licensee, or the possessor of any rights granted, issued, or acquired under the provisions of this division (of the Water Code).

Section 1630. At any time after the expiration of twenty years after the granting of a license, the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State shall have the right to purchase the works and property occupied and used under the license and the works built or constructed for the enjoyment of the rights granted under the license.

Section 1631. In the event that the State, or any city, city and county, municipal water district, irrigation district, lighting district, or political subdivision of the State so desiring to purchase and the owner of the works and property cannot agree upon the purchase price, the price shall be determined in such manner as is now or may hereafter be provided by law for determining the value of property taken in eminent domain proceedings.

Dated: MAR 24 '59



L. K. Hill
L. K. Hill
Executive Officer

10-14-80 Asgo to Bell Aqua, Inc.

(JJD) [illegible text]

LICENSE 5475
STATE OF CALIFORNIA
STATE WATER RIGHTS BOARD

LICENSE
TO APPROPRIATE WATER

ISSUED TO R. E. Hayer

DATED MAR 24 '59

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